

**Monday, July 30, 2007**

House Meets At...	Votes Predicted At...
10:30 a.m. For Morning Hour 12:00 p.m. For Legislative Business	First Vote: 6:30 p.m. Last Vote: Evening
Unlimited "One-minutes" Per Side	

**Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.**

**Floor Schedule and Procedure**

- **Suspension Bills:** Today, the House will consider several bills on the Suspension calendar. Bills considered on the Suspension calendar are debatable for 40 minutes; may not be amended; and require a two-thirds vote for passage. If a recorded vote is requested, it will be postponed.
  1. **H.R.180** – Darfur Accountability and Divestment Act of 2007 (*Rep. Lee – Financial Services*)
  2. **H.R.2347** – Iran Sanctions Enabling Act of 2007 (*Rep. Frank – Financial Services*)
  3. **H.Res.121** – Expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Force's coercion of young women into sexual slavery, known to the world as "comfort women", during its colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II (*Rep. Honda – Foreign Affairs*)
  4. **H.Con.Res.136** - Expressing the sense of Congress regarding high level visits to the United States by democratically-elected officials of Taiwan (*Rep. Chabot – Foreign Affairs*)
  5. **H.Res.427** - Urging the Government of Canada to end the commercial seal hunt (*Rep. Lantos – Foreign Affairs*)
  6. **H.Con.Res.188** - Condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and for other purposes (*Rep. Ros-Lehtinen – Foreign Affairs*)

7. **H.R.176** – United States-Caribbean Educational Exchange Act of 2007 (*Rep. Lee – Foreign Affairs*)
8. **H.R.957** - To amend the Iran Sanctions Act of 1996 to expand and clarify the entities against which sanctions may be imposed (*Rep. Ros-Lehtinen – Foreign Affairs*)
9. **H.Res.515** – Congratulating the Oregon State University Beavers baseball team for winning the 2007 National Collegiate Athletic Association Division I College World Series (*Rep. Hooley – Education and Labor*)
10. **H.Res.511** – Congratulating the men's volleyball team of the University of California, Irvine, for winning the 2007 NCAA Division I Men's Volleyball National Championship (*Rep. Campbell – Education and Labor*)
11. **H.R.2707** - To reauthorize the Underground Railroad Educational and Cultural Program (*Rep. Kucinich – Education and Labor*)
12. **H.R.23** – Belated Thank You to the Merchant Mariners of World War II Act of 2007 (*Rep. Filner – Veterans Affairs*)
13. **H.R.1315** – To amend title 38, United States Code, to provide specially adaptive housing assistance to certain disabled members of the Armed Forces residing temporarily in housing owned by a family member (*Rep. Herseth Sandlin – Veterans Affairs*)
14. **H.R.2874** – Veterans' Health Care Improvement Act of 2007 (*Rep. Michaud – Veterans Affairs*)
15. **H.R.2623** – To amend title 38, United States Code, to prohibit the collection of copayments for all hospice care furnished by the Department of Veterans Affairs (*Rep. Miller (FL) – Veterans Affairs*)
16. **H.R.3184** – To authorize the Secretary of Agriculture to carry out a competitive grant program for the Puget Sound area to provide comprehensive conservation planning to address water quality (*Rep. Larsen – Agriculture*)
17. **H.R.3006** - To improve the use of a grant of a parcel of land to the State of Idaho for use as an agricultural college, and for other purposes (*Rep. Simpson – Agriculture*)
18. **S.1716** - U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (*Sen. Thune / Rep. Herseth Sandlin – Agriculture*)

19. **H.R.3206** - SBA Short Term Extension (*Rep. Velazquez – Small Business*)
  20. **H.R.3123** - To extend the designation of Liberia under section 244 of the Immigration and Nationality Act so that Liberians can continue to be eligible for temporary protected status under that section (*Rep. Kennedy – Judiciary*)
  21. **S.975** – A bill granting the consent and approval of Congress to an interstate forest fire protection compact (*Sen. Thune / Rep. Herseth Sandlin – Judiciary*)
  22. **H.R.3067** – Small Public Housing Authority Act (*Rep. Neugebauer – Financial Services*)
  23. **H.R.2750** – NASA 50th Anniversary Commemorative Coin Act (*Rep. Jackson-Lee – Financial Services*)
  24. **H.Con.Res.49** – Recognizing the 75th anniversary of the Military Order of the Purple Heart and commending recipients of the Purple Heart for their courageous demonstrations of gallantry and heroism on behalf of the United States (*Rep. Jones NC*) – *Armed Services*)
  25. **H.Res.568** - Honoring and expressing gratitude to the 1st Battalion of the 133rd Infantry (“Ironman Battalion”) of the Iowa National Guard (*Rep. Braley – Armed Services*)
  26. **S.Con.Res.27** - A concurrent resolution supporting the goals and ideals of "National Purple Heart Recognition Day (*Sen. Clinton – Armed Services*)
  27. **H.R.2722** - Integrated Deepwater Program Reform Act (*Rep. Cummings –Transportation and Infrastructure*)
  28. **H.R. 735** – To designate the Federal building under construction at 799 First Avenue in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building" (*Rep. Rangel –Transportation and Infrastructure*)
- **H. Res. 580-Rule providing for consideration of H.R. 986 - Eightmile Wild and Scenic River Act (Rep. Castor-Rules):** The closed rule provides one hour of debate in the House equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Natural Resources. The rule provides that the committee amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, modified by the amendment printed in the Rules Committee report accompanying the resolution, shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Castor, and consideration will proceed as follows:

- One hour of debate on the rule.
  - Possible vote on a Democratic motion to move the previous question. **Democrats are urged to vote yes on the motion.**
  - Vote on adoption of the rule. **Democrats are urged to vote yes on adoption of the rule.**
- 
- **H.R. 986 - Eightmile Wild and Scenic River Act (Rep. Courtney):**  
Pursuant to the rule, debate on the bill will be managed by Natural Resources Committee Chair Rep. Nick J. Rahall, or his designee, and will proceed as follows:
    - One hour of debate on the bill.
    - Possible debate and vote on a Republican motion to recommit the bill.
    - Vote on passage of the bill. **Democrats are urged to vote yes on final passage.**
- 
- **H. Res. 579-Rule providing for consideration of H.R. 2831- Ledbetter Fair Pay Act of 2007 (Rep. Sutton-Rules):** The closed rule provides one hour of debate in the House equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Education and Labor. Provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor shall be considered as adopted and the bill, as amended, shall be considered as read. Finally, the rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Sutton, and consideration will proceed as follows:
    - One hour of debate on the rule.
    - Possible vote on a Democratic motion to move the previous question. **Democrats are urged to vote yes on the motion.**
    - Vote on adoption of the rule. **Democrats are urged to vote yes on adoption of the rule.**
- 
- **H.R. 2831 – Ledbetter Fair Pay Act of 2007 (Rep. George Miller-Education and Labor):** Pursuant to the rule, debate on the bill will be managed by Education and Labor Committee Chair Rep. George Miller, or his designee, and will proceed as follows:
    - One hour of debate on the bill.
    - Possible debate and vote on a Republican motion to recommit the bill.
    - Vote on passage of the bill. **Democrats are urged to vote yes on final passage.**

## **Bill Summary and Key Issues**

### **H.R. 986: Eightmile Wild and Scenic River Act (Rep. Courtney, D-CT)**

H.R. 986 would designate 25.3 miles of the Eightmile River and its tributaries in Connecticut as a national scenic river. The river has been studied by the National Park Service and found to be eligible for designation. The five segments that would be designated by the bill would be managed according to a plan produced pursuant to the 2001 Eightmile River Wild and Scenic River Study Act (Public Law 107-65). HR 986 expressly and unambiguously forbids condemnation by the federal government, both by reference to the Wild and Scenic Rivers Act and by a separate, explicit provision of the bill.

The legislation, which is supported by the Administration, has broad bipartisan support, including the entire Connecticut congressional delegation, the Republican governor of the state, the Connecticut Legislature and all of the affected local communities.

Representative Joe Courtney introduced the legislation on February 12, 2007 and the Subcommittee on National Parks, Forests and Public Lands held a hearing on the bill on April 17, 2007 during which the Administration and a public witness testified in support of the measure. The Subcommittee favorably approved the bill with an amendment by voice vote on April 19, 2007 and the Natural Resources Committee ordered the bill, as amended, favorably reported to the House by voice vote on May 2, 2007. On July 10, 2007, the House considered H.R. 986 under Suspension of the Rules. Although the bill received a clear majority on a vote of 239-173, it failed to receive the 2/3<sup>rd</sup> necessary for passage

### **H.R. 2831 - LILLY LEDBETTER FAIR PAY ACT**

**H.R. 2831 reverses the Supreme Court's May 29, 2007, ruling in *Ledbetter v. Goodyear*, which dramatically limited workers' ability to challenge discriminatory pay.** In that 5-4 decision, the majority, led by Justice Alito, ruled that a victim of pay discrimination under Title VII must file a charge within 180 days of the employer's decision to pay someone less for an unlawfully discriminatory reason (such as race, sex, religion, etc.). Prior to the Supreme Court's ruling, the widely accepted rule in employment discrimination law was that every discriminatory paycheck was a new violation that restarts the 180-day clock. **H.R. 2831 restores that prior law.**

#### **The Implications of the Supreme Court Decision**

- **The ruling immunizes discriminatory pay from challenge.** Under the ruling in *Ledbetter*, a person must file a charge of discrimination within 180 days of the discriminatory pay *decision*. If an employee fails to do so, the employer may continue paying the employee in a discriminatory fashion, based on that prior decision, for the rest of his or her career.
- **Discriminatory pay is difficult to discover.** Many employers have policies explicitly forbidding employees from talking to one another about their pay. Workplace norms also discourage employees from asking each other about their pay. Additionally, discriminatory pay tends to have a cumulative effect – what may seem like a minor discrepancy at first builds up over time. By the time the discrimination is noticed, it would be too late to file a charge under the Supreme Court's ruling.

- **The ruling leads to more litigation.** Under the ruling in *Ledbetter*, an employee must file a charge with each pay decision – in order to preserve her rights to challenge discrimination – instead of attempting to ask questions, gathering information, attempting to resolve the matter informally with her employer. The decision leads to more conflict and more litigation and flies in the face of Congress's intent in Title VII to encourage informal conciliation between the employer and employee.

### **How H.R. 2831 Reverses the Supreme Court Decision**

- **H.R. 2831 restores the law prior to the Supreme Court's *Ledbetter* decision.** Under H.R. 2831, the clock for filing a discrimination charge starts when a discriminatory pay decision or practice is adopted, when a person becomes subject to the pay decision or practice, or when a person is affected by the pay decision or practice, including whenever she receives a discriminatory paycheck.
- **H.R. 2831 restores this rule for Title VII, as well as age and disability discrimination.**
- **Ongoing discriminatory pay should never be immunized.** The Supreme Court rolled back workers rights with the *Ledbetter* decision. It is time for Congress to respond.

### **Quote of the Day**

Tomorrow is the most important thing in life. It comes into us at midnight very clean. It's perfect when it arrives and it puts itself in our hands. It hopes we've learned something from yesterday. -John Wayne

The Office of the House Majority Whip | H-329 The Capitol |  
Washington, DC 20515 | p. (202)226-3210 | f. (202)226-1115